

### REMARKS

The present amendment is being filed under a Certificate of Mailing as indicated. Claims 1-34 are pending. Claims 1, 4, 6, 8, 14, 18, and 26-34 have been amended.

#### **Claim Objections**

Claims 28-36 were objected to for being incorrectly numbered. These claims have been amended to be renumbered as claims 26-34, respectively. Therefore, the objections to claims 26-34 is believed to be overcome.

#### **§112**

Claims 4, 6, 8, 14, and 26 (old claim 28) were rejected under 35 U.S.C. §112.

In claim 4, the term “the general form” has been replaced with “a general form.”

Claim 6 has been amended to include the word “the” between “wherein” and “relief.”

Claim 8 has been amended to replace the word “that” with “than.”

Claim 14 has been amended to depend from claim 8, and to recite that it is the “width dimension” that is less than  $2/3$  the radius of the body.

Claim 26 (old claim 28) has been amended to depend from claim 21, and to recite that it is the “width dimension” that is less than  $2/3$  the radius of the body.

Therefore, the rejections to claims 4, 6, 8, 14, and 26 are believed to be overcome.

#### **§102**

Claims 1-34 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 7,048,740 to White. (“White”). Independent claim 1 is directed to an acetabular reamer that includes a body defining a relief surface that is operably connected to and defines an edge of a peripheral surface of the body. FIG. 1 of the present invention illustrates one embodiment of a relief surface 22 that defines an edge of a peripheral surface 14. As shown, the peripheral surface 14 extends up to the relief surface 22. The relief surface 22 assists in the insertion of the acetabular reamer into the body to perform less invasive surgical procedures.

It is the Applicants’ belief that the prior art does not disclose such a feature. White is directed to an acetabular reamer that includes an external surface 436, a peripheral base 432, and a mounting bar 440 having armatures 441. There is no disclosure in White of a relief surface that defines an edge of the peripheral surface of the body. The Office Action

equates the armature 441 with the relief surface of the claimed invention. However, as amended, claim 1 recites that the relief defines an edge of the peripheral surface of the body. The armature 441 does not define an edge of the external surface 436. Instead, the armature extends from the external surface 436, it does not define an edge of the external surface as required by amended claim 1.

Therefore, for at least this reason, claim 1 and its dependents are believed to be allowable over the prior art.

Independent claim 18 recites a first relief surface that is operably connected to and defines an edge of a peripheral surface of the body and a second relief surface that is operably connected to and defines an edge of a peripheral surface of the body. As stated above in reference to claim 1, White does not disclose a relief surface that defines an edge of a peripheral surface of the body. For at least this reason, claim 18 and its dependents are believed to be allowable over the prior art.

Independent claim 30 has also been amended to recite that the relief surface defines an edge of the peripheral surface of the body. Therefore, for at least the reasons discussed in relation to claim 1, independent claim 30 and its dependents are believed to be allowable over the prior art.

Independent claim 34 has also been amended to recite that the relief surface defines an edge of the peripheral surface of the body. Therefore, for at least the reasons discussed in relation to claim 1, independent claim 34 is believed to be allowable over the prior art.

### **Conclusion**

For the above-described reasons it is respectfully submitted that the rejections to the claims have been overcome and that all remaining claims, namely claims 1-34 are currently in condition for allowance. A Notice of Allowance is respectfully requested.

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